

PENDLETON COUNTY FISCAL COURT
May Term, May 27th, 2008

COURT MET PURSUANT TO ADJOURNMENT
With
HONORABLE HENRY BERTRAM, COUNTY JUDGE/EXECUTIVE
Presiding

MEMBERS PRESENT: Bobby Fogel, Gary Veirs, Stacey Wells, Alan Whaley
MEMBERS ABSENT: None
COUNTY ATTORNEY: Jeff Dean

Invocation was given by Judge Bertram, Pledge Allegiance lead by Judge Bertram

In Re: Agenda

Judge Bertram presented the agenda for this meeting, requesting that item 8A-resolution for purchase of Mack Truck and item 15A-Contract with Northern Pendleton Fire District be added, Squire Veirs made a motion to accept the agenda as amended, seconded by Squire Wells, motion carried.

In Re: Approval of Minutes

Minutes of the April 22nd, 2008 and May 13th, 2008 meetings were presented to the fiscal court by court clerk Vicky King. Squire Wells made a motion to approve both sets of minutes as presented, seconded by Squire Fogle, motion carried.

In Re: Approval of Treasurer's Report

Pendleton County Treasurer, Vicky King, submitted a written report for the month of April and the 3rd Quarter of FY 07-08 at the last regular Fiscal Court meeting. Squire Whaley made a motion to approve both reports as submitted, seconded by Squire Veirs, motion carried.

In Re: Open Bids for Providing Basic Life Support Ambulance Service

Judge Bertram reported that only one (1) bid had been received for BLS Ambulance Service and that bid was submitted by Phillip Hart, Pendleton County EMS in the amount of Three-Hundred Nineteen Thousand Nine-Hundred Seventy Dollars, \$319,970.00 this is an approximate 8% increase over last year.

Discussion held. Squire Whaley made a motion to the bid as received from the Pendleton County EMS, seconded by Squire Fogle, motion carried.

In Re: Open Bids for Purchase of a 2009 Mack Tri-Axle Dump Truck

Judge Bertram reported that only one bid had been received that was from Worldwide Equipment in the amount of \$102,985.00, One Hundred Two Thousand Nine Hundred Eighty Five Dollars. Squire Wells made a motion to approve the bid based on the same buy back terms as last year, seconded by Squire Veirs, motion carried.

In Re: Approve signing Resolution to purchase 2009 Mack Tri-Axle Dump Truck

Judge Bertram presented a copy of a resolution approving a lease for the financing of a 2009 Mack Tri-Axle Dump Truck for approval. Discussion held. Squire Whaley made a motion to allow the Judge to sign the resolution, seconded by Squire Whaley, motion carried.

In Re: Discussion on upcoming Airport Grant

Dan Bell from the Airport Board spoke to the fiscal Court in reference to the annual funding from the fiscal court to the airport board and to discuss grant funds and how they are intended to be used. The airport board intends to install an Automated Weather Observation System (AWOS0 and do resurfacing on the airport ramp. Discussion was held. Squire Wells made a motion to sign the grant agreement, seconded by Squire Veirs, motion carried.

Information recorded as follows:

Falmouth Pendleton County Airport Board
400 Gene Snyder Airport Drive
Falmouth, KY 41040
559-654-1200

May 5, 2008

Judge Executive Henry Bertram,

In planning for the year 2008, the board is requesting the annual \$5,000.00 for the airport insurance.

An additional \$2,610.00 will need to be budgeted to cover our 2-1/2% of the federal money that will be used for capital improvements at the airport.

This yearly help from the County has been greatly appreciated by the airport board. Without it, it would be very difficult to pay the insurance premium and maintain the airport on our limited income.

Thanks again for all your support.

Sincerely,

Randy Wolfe
Chairman
Falmouth-Pendleton County Airport

Version 7.01

| | | | | |
|---|---|--|--|--|
| APPLICATION FOR FEDERAL ASSISTANCE | | 2. DATE SUBMITTED May 1, 2008 | Applicant Identifier | |
| 1. TYPE OF SUBMISSION: Application | | 3. DATE RECEIVED BY STATE | State Application Identifier | |
| Construction Non-Construction | Pre-application <input checked="" type="checkbox"/> Construction Non-Construction | 4. DATE RECEIVED BY FEDERAL AGENCY | Federal Identifier | |
| 5. APPLICANT INFORMATION | | | | |
| Legal Name: Falmouth-Pendleton County Airport Board | | Organizational Unit: Airport Board Department | | |
| Organizational DUNS: | | Division: | | |
| Address: | | Name and telephone number of person to be contacted on matters involving this application (give area code) | | |
| Street: 5004 Hwy 177 East | | Prefix: Mr. | First Name Randy | |
| City: Falmouth | | Middle Name: | | |
| County: Pendleton | | Last Name: Wolfe | | |
| State: Kentucky | | Zip Code 41006 | | |
| Country: United States | | Suffix: | | |
| 6. EMPLOYER IDENTIFICATION NUMBER (EIN): <div></div> | | Phone Number (give area code): 859-472-2480 | Fax Number (give area code): 859-472-2486 | |
| 8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) <div></div> Other (specify) | | 7. TYPE OF APPLICANT: (See back of form for Application Types) Airport Board Other (specify) | | |
| 10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <div></div> TITLE (Name of Program): Airport Improvement Program | | 9. NAME OF FEDERAL AGENCY Federal Aviation Administration | | |
| 12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc): Falmouth-Pendleton County, KY | | 11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT AWOS III Aircraft Apron Rehabilitation | | |
| 13. PROPOSED PROJECT Start Date: 7/2008 Ending Date: 7/2009 | | 14. CONGRESSIONAL DISTRICTS OF: a. Applicant 4 th Kentucky b. Project 4 th Kentucky | | |
| 15. ESTIMATED FUNDING: a. Federal \$198,344.00 b. Applicant \$5,210.00 c. State \$5,220.00 d. Local e. Other | | 16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS? a. Yes <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW OR (will be submitted) DATE: b. No <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372 <input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW | | |
| f. Program Income g. TOTAL \$208,783.00 | | 17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? <input type="checkbox"/> Yes If "Yes" attach an explanation <input checked="" type="checkbox"/> No | | |
| 18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED. | | | | |
| a. Authorized Representative Prefix First Name Middle Name Mr. Randy Last Name Suffix Wolfe b. Title Chairman c. Telephone Number (give area code): 859-472-2480 d. Signature of Authorized Representative e. Date Signed | | | | |

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Standard Form 424 (Rev. 9-2007)
Prescribed by OMB Circular A-107

Falmouth-Pendleton County Airport Board
Gene Snyder Airport

The Falmouth-Pendleton County Airport Board intends to complete a project to resurface the ramp area and to install an AWOS system, giving pilots and others the ability to check the current weather conditions.

Ramp Resurfacing

The ramp resurfacing portion of the project includes the removal and replacement of the top two inches of asphalt from the line starting at the edge of the tie-down area to the northwest. (The area from the edge of the tie-down area to the southeast is being crack-filled and resealed as part of a separate project funded 100% by the state.)

AWOS III



The AWOS portion of the project installs an automated weather station that records temperature, dew point, wind direction, gust, and speed, barometric pressure, visibility, precipitation, cloud height and sky condition. This information is then encoded using a synthesized voice and available via telephone and via a continuous broadcast on an aircraft radio frequency.

AWOS justification

The AWOS will benefit most aviation operations in the Falmouth and Pendleton County areas, raise utilization of the Gene Snyder airport, and add exposure to the area through government and commercial weather reports. Pendleton County emergency management, University of Kentucky's Life Flight, University of Cincinnati's Air Care, and Greater Cincinnati Airport Air Traffic Management have all voiced support of this project.

Funding

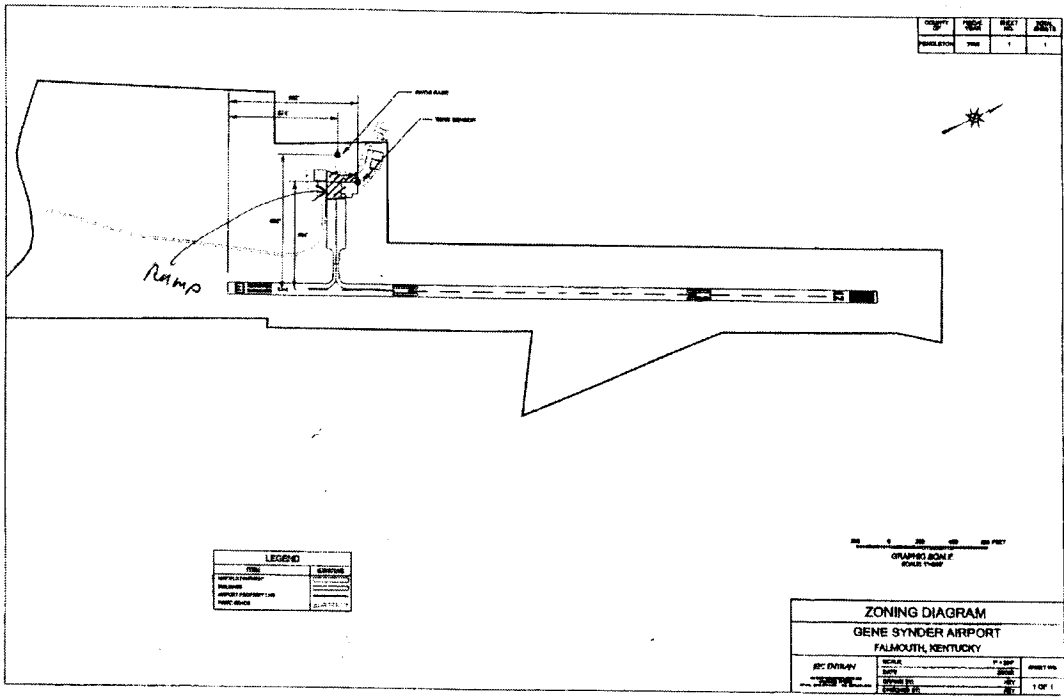
The project is to be funded by requests made to the Federal Aviation Administration (95%), the Kentucky Department of Aviation (2.5%), Pendleton County (1.25%) and the City of Falmouth (1.25%). The total project is budgeted for \$208,783.

| FAA (95%) | KYAV (2.5%) | Pendleton Co (1.25%) | Falmouth (1.25%) | Total |
|-----------|-------------|----------------------|------------------|-----------|
| \$198,344 | \$5,220 | \$2,609.50 | \$2,609.50 | \$208,783 |

Schedule

The federal grant needed to support the project is planned for the current federal fiscal year, ending in September of 2008. The FAA requires the board to have the Grant Agreement signed by the Judge Executive and the Mayor and their attorneys and to the FAA by June 20th 2008.

Construction is not expected to be completed until 2009, with final certification possibly delayed until 2010. (The radio frequency must be obtained from the FCC and can take many months.) The board agrees not to request the local portion of the funds until the 2009-2010 fiscal year.



In Re: Approve Employee Salaries for FY 2008-2009

Judge Bertram presented the proposed Fiscal Court Order for appointment of County Employee(s). SquireVeirs made a motion to accept the proposed Fiscal Court Order for appointment of County Employee(s), seconded by Squire Fogle, motion carried. Information recorded as follows:

County: _____ Date: _____

PROPOSED FISCAL COURT ORDER

Compliance with KRS 67.711, Deputy county judge executive and office personnel - Appointment, Compensation - Powers and duties.

67.711 Deputy county judge executive and office personnel - Appointment-Compensation-Powers and duties. (1) Notwithstanding the provisions of KRS 67.710(7), the county judge executive of any county may appoint a deputy county judge executive and a reasonable number of other assistants, secretaries and clerical workers within the office of the county judge executive as determined by the fiscal court, who shall serve at his pleasure. The fiscal court pursuant to KRS 64.530(4), shall fix reasonable compensation for the deputy county judge executive and such other employees.

(2) The deputy county judge executive may exercise all administrative powers, duties and responsibilities of that office and may assume such other responsibilities as shall be prescribed in the administrative code of the county, except that the deputy county judge executive shall not act for the county judge executive as a member or previous officer of the fiscal court.

(Enact Acts 1972-112, 15, effective June 17, 1978; 1980-14, 17, 1, effective July 15, 1980; 1984-3, 54, 1, effective March 5, 1986.)

On motion of _____

Seconded by _____

With vote of _____

Pursuant to KRS 67.711 and KRS 64.530 it is hereby determined that the number and compensation of the staff to be appointed by the county judge/executive was (is) set as follows:

| Position/Title | # | Compensation | Appropriation Account |
|--------------------------|---|-------------------|-----------------------|
| Administrative Assistant | 1 | \$80.77 Bi-Weekly | 01-5040-102 |

The appointments of the members of the county judge/executive's staff will be entered into the Executive Order Book, copies of the order to be given to the county treasurer, the county payroll officer, and presented to the fiscal court for informational purposes at the regular session of the fiscal court meeting next following.

County: _____ Date: _____

Proposed Fiscal Court Order
Appointment of County Employee(s)

PRESENTED BY _____
On motion of the county judge/executive _____, Whereupon a motion was made by _____ to accept the appointment and salaries of County Employee(s) as presented seconded by _____ with vote of _____

The record is ordered to reflect that pursuant to KRS 67.710 (7) with the approval of the fiscal court the county judge/executive hereby appoints the following individual(s) to hold the position(s) indicated effective _____, 2008. These appointments are made at will for an indefinite amount of time not to exceed two (2) years

| NAME | POSITION | RATE OF PAY | APPROPRIATION ACCOUNT |
|-----------------------|-------------------------|------------------|-----------------------|
| Howard Ammerman | Deputy Coroner | 144.01 Bi-Wkly | 01-5020-103 |
| Vicky King | Co. Treasurer | 1,667.31 Bi-Wkly | 01-5040-102 |
| Jenny Schlueter | Occupational Tax Admin. | 1,215.38 Bi-Wkly | 01-5047-142 |
| Joan Faulkner | Custodian | 10.82 Hr | 01-5080-175 |
| Joan Faulkner | Annex Bldg. Custodian | 10.82 Hr | 01-5086-175 |
| Gary Maxwell | Animal Control Officer | 1,007.69 Bi-Wkly | 01-5205-102 |
| Fred Edwards | Solid Waste Coordinator | 1,342.31 Bi-Wkly | 01-5210-107 |
| Teddy Gregg | Courthouse Grounds | 8.50 Hr | 01-5080-177 |
| Tim Antrobus | Road Supervisor | 1,531.01 Bi-Wkly | 02-6103-102 |
| George Ratrieck | Equip. Operator/Laborer | 16.40 Hr | 02-6105-143 |
| Charles Purdy | Equip. Operator/Laborer | 14.42 Hr | 02-6105-143 |
| Larry Hendy | Equip. Operator/Laborer | 14.42 Hr | 02-6105-143 |
| H. Jerome King | Equip. Operator/Laborer | 13.87 Hr | 02-6105-143 |
| Jack Caldwell | Equip. Operator/Laborer | 14.66 Hr | 02-6105-143 |
| Ronnie Moore | Equip. Operator/Laborer | 12.38 Hr | 02-6105-143 |
| Andy Caldwell | Equip. Operator/Laborer | 12.38 Hr | 02-6105-143 |
| Tom Wood | Equip. Operator/Laborer | 12.03 Hr | 02-6105-143 |
| Rev G. Hutchinson | Transport Officer | 13.00 Hr | 03-5101-103 |
| Richard Colvin | Transport Officer | 13.00 Hr | 03-5101-103 |
| James Calvert | Transport Officer | 13.00 Hr | 03-5101-103 |
| New Transport Officer | Transport Officer | 923.08 Bi-Wkly | 03-5101-123 |
| Michael Moore | DES Director | 1,216.95 Bi-Wkly | 04-5135-107 |
| Dennis Conner | Director C.S. | 9.00 Hr | 04-5315-179 |
| Michael Moore | Dispatch Supervisor | 304.23 Bi-Wkly | 75-5145-107 |
| Matthew Sorrell | Dispatcher | 11.95 Hr | 75-5145-159 |
| Teresa Rick | 911 Emp. Supervisor | 1,012.51 Bi-Wkly | 75-5145-159 |
| Carla Maines | Dispatcher | 10.22 Hr | 75-5145-159 |
| Kendra Jones | Dispatcher | 10.06 Hr | 75-5145-159 |
| Stacey French | Dispatcher | 10.33 Hr | 75-5145-159 |
| Danielle King | Dispatcher | 9.21 Hr | 75-5145-159 |
| James Jones | Dispatcher | 9.32 Hr | 75-5145-159 |
| Donna Hobbs | Dispatcher | 8.95 Hr | 75-5145-159 |
| Tony Justice | PT Dispatcher | 8.85 Hr | 75-5145-159 |
| Nevelyn Black | PT Dispatcher | 8.85 Hr | 75-5145-159 |
| Vicky Justice | PT Dispatcher | 9.10 Hr | 75-5145-159 |
| Charles Pettit | PT Dispatcher | 8.75 Hr | 75-5145-159 |
| L.R. Faulkner, JR | PT Dispatcher | 8.50 Hr | 75-5145-159 |
| Ryan Biddle | PT Dispatcher | 8.50 Hr | 75-5145-159 |

In Re: Industrial Authority Appointment

Judge Bertram ask for a motion to appointment Rodney Miles to the Industrial Authority. Squire Fogle made a motion to appoint Rodney Miles to the Industrial Authority, seconded by Squire Whaley. Motion carried.

In Re: Canceling Michelle Hamilton's Contract and Moving her to Part Time

Discussion was held regarding canceling Michelle Hamilton's contract and employing her on a part time basis at a reduced rate of pay. Squire Wells made a motion to employee her on a part time basis, seconded by Squire Whaley. Motion Carried.

In Re: Second Reading of Animal Control Ordinance

County Attorney Jeff Dean read the New Animal Control Ordinance in Summary Form. Judge Bertram asked for questions or comments. There being no comments Squire Wells made a motion to let this stand as the second reading of the New Animal Control Ordinance, seconded by Squire Veirs, motion carried.

Ordinance will become effective upon publication. Information recorded as follows:

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NOTICE OF PROPOSED ORDINANCE

The Pendleton County Fiscal Court is considering a proposed Ordinance entitled as follows:

PENDLETON COUNTY FISCAL COURT
ORDINANCE NO. 841.0

AN ORDINANCE ESTABLISHING AND RELATING TO THE DUTIES OF THE PENDLETON COUNTY ANIMAL CONTROL OFFICER, TO THE OPERATION OF THE PENDLETON COUNTY ANIMAL SHELTER, TO THE OBLIGATIONS TO PURCHASE DOG AND KENNEL LICENSES, AND TO THE CONTROL OF DOGS AND WILD OR EXOTIC ANIMALS.

The proposed Ordinance provides for, among other things, the employment of an Animal Control Officer; the establishment of a dog pound and regulations governing the operation of said dog pound; imposes certain duties upon the owners of dogs and wild or exotic animals, and otherwise regulates dogs and wild or exotic animals; and the registration and ownership of certain dogs to be classified as "Restricted Dogs." The Ordinance also provides for penalties for violations of its provisions.

A full copy of the proposed Ordinance is available for inspection at the office of the Pendleton County Judge/Executive, Courthouse, Falmouth, Kentucky. The Ordinance may also be viewed on the county website at www.pendletoncounty.ky.gov. The Ordinance will be considered for passage at the next regular meeting of the Pendleton County Fiscal Court on at 7:00 pm on Tuesday, May 27, 2008 in the Community Room of the Pendleton County Courthouse at Falmouth, Kentucky.

HENRY W. BERTRAM
PENDLETON COUNTY JUDGE/EXECUTIVE

Publish on May 20, 2008

PENDLETON COUNTY FISCAL COURT
ORDINANCE NO. 841.0

AN ORDINANCE ESTABLISHING AND RELATING TO THE DUTIES OF THE PENDLETON COUNTY ANIMAL CONTROL OFFICER, TO THE OPERATION OF THE PENDLETON COUNTY ANIMAL SHELTER, TO THE OBLIGATIONS TO PURCHASE DOG AND KENNEL LICENSES, AND TO THE CONTROL OF DOGS AND WILD OR EXOTIC ANIMALS.

Be it ordained by Fiscal Court of the County of Pendleton, Commonwealth of Kentucky:

WHEREAS, the Pendleton County Fiscal Court is required by KRS Chapter 258 to employ an Animal Control Officer, and

WHEREAS, the Pendleton County Fiscal Court is required by KRS Chapter 258 to establish a dog pound, and

WHEREAS, the Pendleton County Fiscal Court is permitted by KRS 258.195 to impose reasonable regulations to insure the efficient and proper operation of the dog pound, and

WHEREAS, the Pendleton County Fiscal Court desires to impose certain duties on the owners of dogs, and wild or exotic animals; and further desires to otherwise regulate dogs and wild or exotic animals.

NOW THEREFORE,

Section 1. Definitions:

a. **"AKC or UKC Registered Show Dog"**
The term "AKC or UKC Registered Show Dog" means any breed of dog of the "restricted dog" list for which the owner thereof has documentation showing the dog to be a registered AKC or UKC show/performance dog. The documentation to prove the animal is a show/performance dog must include: (a) an AKC or UKC registration; (b) AKC or UKC three (3) generation pedigree; (3) proof the dog is being used as a show dog once the dog reaches the age of six (6) months; and (4) the first five (5) numbers of the AKC or UKC registration tattooed on the abdomen or the upper side of the left rear leg.

b. **"Dog"** means any member of the canine family.

c. **"Wild or Exotic Animal"** means: i., any animal or creature which is not

indigenous to the "lower 48" of the United States of America; ii., any animal or creature which is native to the said section of the United States but which is normally considered "wild;" iii., and/or any animal or creature which is inherently dangerous to human beings, regardless of age, if not covered under "i" or "ii."

d. "Owner," when applied to the proprietorship of a dog, wild, or exotic animal, includes every person having a right of property in the dog, wild, or exotic animal and every person who keeps or harbors a dog, wild, or exotic animal or has it in his or her care, or permits it to remain on or about premises owned or occupied by him.

c. "Restricted Dog"

The term "Restricted Dog" as used within this article shall refer to (1) any dog whose sire or dam is of a breed which is defined as a restricted breed of dog in this definition; (2) any dog whose owner registers, defines, admits or otherwise identifies the dog as being of a restricted breed (3) any dog that is certified by, or would be certified upon request of a veterinarian licensed to practice veterinary medicine in the State of Kentucky, to be primarily of the breed (unless exempted as a registered show dog):

- (1) American Staffordshire Terriers or Staffordshire Bull Terriers under the standards established by the American Kennel Club; or
- (2) Substantially conforms to the standards established by the United Kennel Club for American Pit Bull Terriers; or
- (3) Rottweiler under the standards established by the American Kennel Club.

f. "Vicious Animal"

- 1. Any dog, wild, or exotic animal which constitutes a physical threat to human beings or domestic animals demonstrated by an unprovoked assault or a bite.
- 2. Any dog, wild, or exotic animal which, when unprovoked, approaches in a terrorizing manner any person, in an attitude of attack, anywhere other than while upon the premises of the residence of its owner, all as reasonably perceived by the person involved considering the attendant circumstances.
- 3. Any dog, wild, or exotic animal with a known propensity, tendency or disposition to unprovoked attacks which cause injury or endanger the safety of human beings or domestic animals.
- 4. Any dog, wild, or exotic animal which bites causing injury of any kind or assaults or otherwise attacks human beings or domestic animals.
- 5. Any dog, wild, or exotic animal owned or harbored primarily or in part for the purpose of fighting with animals.
- 6. It shall be prima facie evidence that a dog, wild, or exotic animal is vicious if it bites a human being or domestic animal more than once in the same attack.

7. Any dog, wild, or exotic animal declared "vicious" pursuant to state law, KRS 258 or its successor, or by virtue of the provisions of Section 15 of this ordinance.

8. Exceptions: A dog, wild or exotic animal shall not be deemed vicious solely because:

- a. It bites, attacks or menaces:
 - 1. Any person assaulting its owner.
 - 2. Any competent adult or animal who is tormenting or abusing it.
- b. Of its breed or of an assumed/known component of its breed.

g. "Kennel," means an establishment, being a building, pen, or similar construction, made out of metal, wood, concrete, chain link, or similar construction from which a dog cannot escape or stray, the floor being constructed of an impervious nature as to facilitate the washing and removal from same of waste or other debris created by the animal(s) or its care; the kennel shall provide at least twenty-five (25) square feet of surface for each dog, kept or to be kept in the same.

h. "Animal Alteration" any animal that has been spayed or neutered by a licensed professional and which has a certificate or such proof thereof.

Section 2. Shelter Name The county's dog pound shall be named and referred to as the "Pendleton County Animal Shelter."

Section 3. Shelter Purpose The Pendleton County Animal Shelter shall house and the Animal Control Officer only have responsibility toward canines (dogs) found within Pendleton County.

Section 4. Appointment of Animal Control Officer The Pendleton County Judge-Executive shall appoint the Animal Control Officer and/or an assistant subject to the advice and consent of the Fiscal Court, to serve at the pleasure of the Pendleton County Judge-Executive; said Animal Control Officer or assistant may be terminated at any time, for any reason, by the Pendleton County Judge-Executive; the Animal Control Officer shall be at least eighteen (18) years of age.

Section 5. Duties of the Animal Control Officer The Animal Control Officer shall have those duties prescribed by KRS 258 as well as such other duties related to the operation of the Pendleton County Animal Shelter, not precluded by Chapter 258, assigned by the Pendleton County Judge-Executive, including but not limited to the following:

- a. Operating the shelter and caring for dogs in a decent and humane manner.
- b. Selling dog and kennel licenses.
- c. Accepting Pendleton County dogs from Pendleton County citizens, in accordance herewith, and from peace officers.
- d. Seizing and impounding dogs which do not bear a proper license and/or rabies tag which are found running at large.
- e. Enforcing any judicial determination of a vicious dog under KRS 258.235 by seizing or killing any such dog found to be running at large.
- f. Cooperating with a court in the matter of determining the status of a dog as a vicious dog and enforcing any orders of the court in such a proceeding.
- g. Seizing, or if unable to seize, destroying any dog found in the act of pursuing, wounding or killing livestock or poultry, or attacking human beings
- h. Seizing, or if unable to seize, destroying any dog found running at large unless the same be accompanied and under the control of its owner or handler, or unless the dog shall be a hound or other hunting dog which has become temporarily lost from its pack or wandered from the immediate control of its owner or handler; he or she shall make a fair and reasonable effort to determine whether the latter exception with respect to a hound or other hunting dog applies.
- i. Cooperating with the Commissioner of Agriculture with respect to enforcing regulations, orders, or quarantines as determined and prescribed by the Commissioner.
- j. Issuing uniform and local citations and bringing criminal complaints for the enforcement and violation of the provisions of KRS Chapter 258, the animal cruelty statutes, and/or this ordinance; the Animal Control Officer shall not have the authority to issue citations for any other violation or have any other authority normally vested in peace officers. The Animal Control Officer may at his discretion issue local citations for any violation of this ordinance not to exceed \$50.00 first offense, \$75.00 second offense. Any further violation will result in a uniform citation. All uniform citations will be regulated by either Section 22 and/or Section 23
- k. Issuing such citations to owners of dogs for violation in lieu of seizing, impounding, or destroying a dog under this section unless directed otherwise in and through KRS 258.
- l. Through a letter of authorization from the local board of health environmentalist, the animal control officer may enforce and carry out all aspects of KRS 258, which deal with the quarantining of animals and shall be reimbursed to the county at the owners expense in the amount of \$4.00 per day for such quarantine.

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m. The Animal Control Officer shall maintain records as follows: a daily log of all calls or requests made to or of him or her concerning dogs; the log shall include the date and approximate time of the call, the identity of the caller or requester, the nature of the request made, and a description and time of the action taken; the date and time a dog was received, whether it was dropped off at the Shelter, and if picked up by him or her, the location within the county of the pickup; each dog shall be identifiable by number using a reliable method that will coincide with an identification card for such dog - such number will be assigned promptly upon the dog's arrival at the Shelter; the Officer shall also keep a log, as well as note on each dog's card, recording the disposition of the dog, indicating the details of destruction (date, manner and by whom) or adoption (date, by whom, and fees collected); a summary of the foregoing information, in a form acceptable to the County Judge-Executive, shall be submitted to such official by the Animal Control Officer on a monthly basis.

n. The Animal Control Officer shall be responsible for keeping necessary records to permit him or her to make reports and to submit such reports and funds to the Pendleton County Treasurer on a weekly basis or at any time such funds accumulate to an amount that exceeds Two Hundred (\$200.00) Dollars. All animal control reports shall be kept in the office of the County Judge/Executive for a minimum of 3 years. The Animal Control Officer shall post a bond in the amount of Five Thousand (\$5,000.00) Dollars with good and sufficient surety to secure his or her financial responsibilities under this ordinance; the Fiscal Court may pay the fee for corporate surety, if necessary.

o. The Animal Control Officer shall not flourish or discharge a firearm during the performance of his or her duties except when privileged to do so under the traditional doctrines of self protection, protection of another, or in accordance with this ordinance and/or KRS Chapter 258; the Animal Control Officer shall not carry a concealed weapon unless licensed to do so.

p. The Animal Control Officer shall have no duty to pick up or dispose of any dog or other animal that has been injured or killed without his or her intervention on or off a highway, or which may be a corpse on any private or public property.

Section 6. Animal Control Compensation The salary of and reimbursable expenses for the Animal Control Officer shall be set from time to time by motion or resolution of the Fiscal Court; any reimbursable expenses, which may include reasonable mileage, shall be fully documented to the reasonable satisfaction of the Judge Executive and Fiscal Court and be payable upon presentment to the Fiscal Court not less often than monthly.

Section 7. Adoption Process The Pendleton County Animal Shelter shall encourage the adoption by members of the public of any dog accepted by the Animal Control Officer; all such dogs shall be kept for five (5) days preceding claim by their owner(s); after expiration of the five (5) days the dog(s) may be adopted pursuant hereto. Any dog adopted shall be afforded its shots, be wormed, no dog shall be destroyed, except for the reasonable protection of persons, other dogs, or property or for demonstrable humane purposes, prior to five (5) days following its acceptance by the Animal Control Officer. Anyone wishing to adopt a dog shall be required to sign an affidavit stating such

animal shall be neutered or spayed within one month or upon the animal reaching six months of age, and shall, in fact, neuter or spay said animal within the said month or upon the animal reaching six months of age. Such persons adopting said animal shall cause a receipt, as proof of neutering or spaying as provided for herein having been done, to be delivered to the Pendleton County Animal Shelter within forty (40) days of the adoption or within ten (10) days of the animal reaching six (6) months of age, whichever is later.

If the dog is not adopted or if the circumstance referred to in Section 11 apply, then the Animal Control Officer shall have the authority to euthanize the dog as provided in Section 11.

Section 8. Animal Care All animals in the care of Pendleton County Animal Control shall have humane treatment as specified in the following:

- a. No dog shall be sold or disposed of for scientific, experimental or laboratory purposes or for the purpose of avoiding the application of this ordinance.
- b. Unless the dog presents a clear, present and unreasonable danger to persons or property or other dogs in the Animal Control Officer's care, or, unless the said dog comes within the Animal Control Officer's duties as set out in Section 5, subsections d through o, no dog shall be destroyed except by lethal injection by or under the direction of a person properly certified to accomplish the same; all action calculated to bring a dog under control for whatever purpose shall be characterized by the minimum of force necessary to accomplish the purpose and attended by a minimum of pain to the dog, it being the expressed legislative intent and purpose to prescribe netting and tranquilizing where feasible in lieu of brute or deadly force; any dogs destroyed by a means prescribed or anticipated under this ordinance shall be subsequently treated with reasonable dignity, being covered immediately after destruction and promptly so transported for appropriate disposition to an official disposal site for or with which the county has a contract.

Section 9. Licensing, Fees and Adoption Process (Excluding "Restricted Dogs")

- a. On or before July 1 of each year the owner of any dog six (6) months old or older kept in Pendleton County shall apply to the Animal Control Officer or his designee for a license for each dog or kennel owned, harbored, or operated by him, acquire the license, and pay the fee set out herein below.
- b. Upon the qualification and payment of the fee a dog license bearing a serial number and such other information as will properly identify the dog, along with a tag bearing the corresponding number, shall be issued by the Animal Control Officer to the owner.
- c. No license or tag prescribed by this ordinance shall be transferable to another dog except as provided in the within subsection "e", part 3.

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d. Any person becoming the owner of a dog kept in Pendleton County after July 1 of any year which has not already been licensed and the owner of any dog which becomes six (6) months old after July 1 of any year shall forthwith apply for and procure a license and tag for his dog in the same manner as the annual license is obtained, with the fee being prorated on a quarterly basis.

e. Any person who keeps or operates a kennel in which ten (10) or more dogs are kept while on property owned, rented, or leased by the owner must apply to the Animal Control Officer or his or her designee for a kennel license entitling he or she to keep or operate a kennel and pay the fees set out herein below.

1. The kennel license shall be issued on a form prescribed and supplied by the county through the Animal Control Officer.
2. Upon the issuance of a kennel license, the person who keeps or operates the kennel shall be furnished a number of tags equal to the number of dogs authorized to be kept in the kennel.
3. The licensee of a kennel shall keep a tag attached to a collar on each dog kept by him at all times, and such tags may be transferred from one dog to another, within the kennel, whenever any dog is permanently removed.
4. Each kennel's license shall have a number and tags issued in regard to that kennel shall have a number or identifier to permit a dog from that kennel to be identified as such.
5. Before a kennel license is initially issued, and from time to time as deemed necessary and proper by the Animal Control Officer, the kennel shall be inspected by the Animal Control Officer for compliance with above Section 1c.

f. Fees applicable under this ordinance shall be as follows:

1. Individual dog licenses (1 to 9 dogs) - \$7.00 each
2. Individual dog alteration licenses - \$3.50 each
3. Kennel license (10 or more dogs) - \$20.00 + \$1.00 for each dog housed. Any owner of 10 or more dogs must purchase a kennel license and adhere to kennel requirement as set forth herein.
4. Privilege of dropping off unwanted dog by the owner or keeper - \$20.00
5. Adoption - \$35.00 plus out of pocket costs for shots, worming, neutering and any other veterinary expenses; the reasonably anticipated total of such adoption fees may be collected from the adoptive party prior to securing the prescribed services for the dog and pending a determination of the actual amount thus computed. Any mother dog and her puppies under the age of three (3) months shall be

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- considered one dog for purposes of adoption.
6. The \$35.00 fee for adoption will be waived for qualifying rescue groups. The county Judge/Executive will appoint a committee of three (3) persons to research "rescue groups" that wish to foster and adopt homeless dog(s) from Pendleton County. Dogs must be held in the animal control custody for not less than five (5) days, before fostering and/or adoption. The County Judge/Executive will maintain any list of qualifying rescue groups. Any such group shall comply with the following, at minimum:
- (a) Copy of 501(c)(3) papers
 - (b) Copy of incorporation papers
 - (c) Copy of mission statement
 - (d) Copy of policy and procedures, including spay/neuter
 - (e) Copy of adoption contract
 - (f) A minimum of two (2) references from other shelters on past adoption
 - (g) List of adoption avenues, i.e., Pet Finders, Pet Smart Partners, Advertising, etc.
 - (h) Veterinary references (minimum of 2)
 - (i) No rescue group shall have more than 15 dogs in its possession at any time

The decision as to whether a group shall be qualified as a rescue group shall be exclusively in the considered discretion of the County Judge/Executive.

7. Recovery by the owner of a dog properly picked up by the Animal Control Officer may occur only upon payment by the owner of a fee of Ten (\$10.00) Dollars for the first day of any part of same and Four (\$4.00) Dollars for each subsequent day or part of same; further should the owner be unable to produce evidence of a rabies vaccination then the owner shall also pay Eleven (\$11.00) Dollars for a rabies vaccination.
8. The aforesaid fees set forth in subparts 1-5 may be increased from time to time to reflect any change in the consumer Price Index (CPI)--such increases in the index may be cumulated with the fees being increased periodically by round figures reflecting such change totals. Any such changes reflecting increases in the CPI may be done by the County Judge/Executive through Executive Order.
- g. A certificate or proof of alteration of any dog must be presented to the party selling the dog licenses and a copy shall be affixed to the licensing paper work before the owner qualifies for alteration licenses.

h. All dog license tags and the rabies vaccination tags prescribed under KRS 258.015 shall be securely affixed to the dog by means of a collar or harness.

i. It shall be unlawful for any person to bring or permit to be brought into this county any unlicensed dog; it shall further be unlawful for any person to turn loose or abandon a dog for purposes of avoiding one's obligation hereunder.

j. All owners of dogs over six (6) months of age shall pay such fees as are set out in this section, subsections a through d, and as are applicable to them as the owner or keepers of such dog or dogs.

Section 19. "Restricted Dogs"

a. Standards for "Restricted Dogs"

(1) The standards of the American Kennel Club and the United Kennel Club referred to in (definition section) are on file in the county judge's office and the animal control office.

(2) Technical deficiencies in the dog's conformance to the standards described in shall not be construed to indicate that the subject dog is not a restricted dog under this article.

b. Restrictions for "Restricted Dogs"

A Restricted Dog, other than (1) an AKC or UKC Registered Show Dog; (2) or Guide dogs for the blind or hearing impaired; (3) or support dogs for the physically handicapped; (4) or sentry dog, guard dog used for commercial purposes; (5) or police owned dogs in service are exempt from this Section, is restricted within the Pendleton County limits, and must be registered pursuant to the provisions of Section 10 (c) (Registration) and comply with this Ordinance, unless the animal is owned and maintained by a local, state or federal agency and used for law enforcement purposes. It shall be unlawful for any person to keep within the Pendleton county limits any restricted dog as defined in this ordinance, except for AKC or UKC registered show dog as defined and identified in the definition Section of this Ordinance, or registered in accordance with Section 10 (c) (Registration).

c. Registration for "Restricted Dogs"

(1) In order to assure that owners of Restricted Dogs are in compliance with the requirements of this article and to assist in assuring compliance, every owner of a restricted dog in the county shall register the dog with the Animal Control Office of Pendleton County.

(2) The registration shall include the following:

- (a) Name, address and telephone number of the dog's owner;
- (b) The address where the dog is harbored, if different from the owner's address;

(c) A complete identification of the dog including the dog's sex, color, and any other distinguishing physical characteristics;

(d) Documentary proof from a licensed veterinarian of registration with an identification chip administered by a licensed veterinarian or the animal control officer, if certified;

(e) Documentary proof from a licensed veterinarian of sterilization;

(f) Proof of rabies vaccination; and

(g) Proof of the liability insurance or other evidence of financial responsibility required pursuant to this article.

(3) No registration shall be issued for a restricted dog until all requirements listed herein have been met. In addition to all other fees, Pendleton County will assess, and the owner or custodian of the dog must pay, the sum of twenty-five dollars (\$25.00) for issuance of the registration allowing possession of a Restricted Dog breed in the county. The registration shall be for a one (1) year period and may be renewed for additional one-year periods upon payment of the \$25.00 fee and compliance with other requirements of this ordinance.

(4) Existing owners of a Restricted Dog who desire to continue to keep the dog within the Pendleton county limits will have sixty (60) days subsequent to the effective date of this Ordinance to register the animal with the Pendleton County Animal Control Officer in order for that animal to be allowed to remain in the county, pursuant to the following criteria:

(a) The animal must be registered with an identification chip inserted under skin by a licensed veterinarian or by the animal control officer, if certified,

(b) The owner provides proof of rabies and other vaccinations;

(c) The owner and handler must be at least twenty-one (21) years of age;

(d) The owner shall, at his own expense, have the animal spayed or neutered, and shall present to the Pendleton County Animal Control Officer documentary proof from a licensed veterinarian that this sterilization has been performed. An owner of a restricted dog may be exempted from the spay or neuter requirement if the owner produces documentation from a licensed veterinarian stating that a spay or neuter would place the dog's life at risk or produces documentation showing that the dog is a registered AKC or UKC show/performance dog as defined in definitions section of this ordinance.

(5) The Pendleton County Animal Control Office shall create and maintain a registration system containing the numbers and names of the animals and the names and addresses of the owners. The owner shall be responsible for notifying the Pendleton County Animal Control Office of any change in his address, within ten (10) days of the change (regardless of whether the new address is inside or outside the County limits), and the owner shall also be responsible for notifying the Pendleton County Animal Control Office when the dog dies.

(6) If an owner sells transfers, gives, trades, barter or otherwise disposes of a registered restricted dog the owner shall report the transaction to the Pendleton County Animal Control Office within the time frame set forth in paragraph (F) above. It is unlawful to abandon a restricted dog in the county. Any new owner of such described dog must also comply with all requirement of this ordinance.

(7) In order to protect the public and to afford relief from the severe harm and injury which is likely to result from a dog attack, every owner of a Restricted Dog, or any dog declared a "Vicious Animal" under this ordinance, shall at all times while owning the dog, provide evidence of his financial responsibility and ability to respond in damages in the amount of fifty thousand dollars (\$50,000.00) for bodily injury to or death of any person or for damage to property owned by any other person which may result from the ownership, keeping or maintenance of such dog. Proof of ability to respond in damages shall be given by filing with the Animal Control Officer a certificate of insurance, on a homeowner's policy or otherwise, from an insurance company authorized to do business in the state stating that the owner is and will be insured against liability to respond in such.

d. Investigation

Upon receipt of a completed Restricted Dog application, the Animal Control Officer shall investigate the application by having the Pendleton County Sheriff conduct a criminal background check of the applicant. After receipt of the criminal background check the Animal Control Officer may grant a Restricted Dog permit if the Animal Control Officer finds the following conditions satisfied:

- (1) Neither the applicant, owner, nor the keeper of the animal has had a Restricted Dog permit or any other license required under this division revoked, or been convicted of a violation of this division or any law regulating animals within three years or any felony within the past ten years;
- (2) Possession of the animal at the location specified will not violate any law, ordinance, or regulation;
- (3) The Pendleton County Sheriff's Department shall not be held liable for any errant information reported by the criminal background check, nor any errant information as a result of incorrect information submitted by the applicant.

e. Review of Restricted Dog License

Within seven calendar days after the mailing of written notice that a Restricted Dog license has been denied, the owner or applicant may file with the Animal Control Officer a written request for review of the denial decision. Only one request for review may be made. The request shall state all grounds for review and present in writing the evidence relied upon to support granting the permit. The Animal Control Officer may further investigate the application and shall reconsider the application. The Restricted Dog license denial is stayed pending reconsideration. The applicant for a Restricted Dog License bears the burden of proof to justify issuance of a license. If no appeal of the denial of the Restricted Dog license application is filed, or if the Animal Control Officer upholds a Restricted Dog license denial after reconsideration of a license denial, the Animal Control Officer may impound the animal and humanely destroy it by lethal injection ten calendar days after mailing written notice of the denial.

f. Possession of certain dogs by felons prohibited.

- (1) For a period of 10 years commencing upon the release of a person from

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incarceration, it is unlawful for a person convicted of a forcible felony, or any felony violation Class D or higher, or any violation of KRS 525.125, KRS 525.130 or KRS 525.135, or a felony violation of Class D or higher of the Kentucky Controlled Substances Act, to knowingly own, possess, have custody of, or reside in a residence with, either:

- (a) an unspayed or unneutered dog or puppy older than 24 weeks of age; or
- (b) irrespective of whether the dog has been spayed or neutered, any dog that is over twenty pounds in weight.

(2) Any dog that is less than twenty pounds in weight, owned, possessed by, or in the custody of a person convicted of a felony, as described in subsection (a), must be microchipped for permanent identification.

(3) A person who violates this Section is guilty of a Class A misdemeanor.

(4) It is an affirmative defense to prosecution under this Section that the dog in question is neutered or spayed, or that the dog in question was neutered or spayed within 7 days of the defendant being charged with a violation of this Section. Medical records from, or the certificate of, a doctor of veterinary medicine licensed to practice in the State of Kentucky who has personally examined or operated upon the dog, unambiguously indicating whether the dog in question has been spayed or neutered, shall be prima facie true and correct, and shall be sufficient evidence of whether the dog in question has been spayed or neutered.

g. Violation of Section 10 of this Ordinance will result in the following:

(1) The restricted dog's owner found to be in violation of the aforementioned regulations shall be subject to an immediate revocation of the restricted dog registration, and the restricted dog shall be subject to immediate seizure and impoundment.

(2) A Restricted Dog seized by Pendleton County shall be held for a period of 5 five business days and the owner may reclaim the dog by payment of preset reclaim fees as described in Section 9 (f) (7). The dog shall not be released unless the reclaim fee is paid. The owner must also meet all registration requirements or signs an affidavit or sworn declaration stating that the dog will be removed outside the county limits immediately.

(3) A dog released pursuant to the affidavit or sworn declaration, which remains in the county limits, is subject to immediate seizure, if not removed per the affidavit or sworn declaration the owner shall be subject to a fine of \$500.00 per day.

(4) Animal Control personnel may humanely destroy an animal not reclaimed or abandoned after mandatory five day holding period.

Section 11. Handling of "Vicious Dogs" The County Judge/Executive, after reviewing evidence, may declare a dog, wild or exotic animal "vicious" when found to qualify as vicious under one or more provisions of this ordinance. Said animal shall be destroyed, banned from any domicile in Pendleton County, or kept confined as the said County Judge/Executive's Executive Order shall provide. A copy of any such order shall be served on the "owner" of the dog by the sheriff by either personal service or posting a copy on the residence of the owner, accompanied by mailing by regular mail as in a

proceeding for forcible detainer. The owner shall have five (5) business days to appeal the finding to circuit court. Said order shall be thereafter effective. Regardless of and pending any such appeal the following subsection "a" through "g" shall apply:

- a. The vicious animal shall be confined by the owner in an enclosure constructed satisfactory to the County Judge/Executive to preclude the possibility of the animal escaping. All such enclosures shall be designed to prevent the entry of small children and shall be suitable to confine the vicious animal. Such enclosures shall be securely closed and locked, and shall be designed to prevent the animal from digging out or otherwise escaping from the enclosure.
- b. The enclosure shall display a sign warning of the vicious animal which shall be visible and legible from the public roadway or public access, if applicable.
- c. The vicious animal shall not be permitted outside of the enclosure except to obtain necessary veterinary care or under the direction of the County Judge/Executive, in which case it shall be under the direct control and supervision of its owner and shall be muzzled and restrained with a lead or leash not to exceed three feet in length, or placed in a secure animal carrier.
- d. Should the County Judge/Executive deem the enclosure to be inadequate to protect the public then the owner shall promptly deliver the animal to the Animal Shelter for confinement pending any such appeal; the owner shall pay to the County the sum of ten (\$10.00) Dollars per day for such period of confinement in the Shelter.
- e. The owner of a vicious animal shall immediately notify the County Judge/Executive and the County Dispatch if the animal is loose, unconfined, has attacked an animal or human being, or is deceased.
- f. The foregoing subsections "a" through "e" shall apply to any dog declared "vicious" under state law or under this ordinance, in the latter case, should the County Judge/Executive's Order provide for confinement in lieu of euthanization or banishment. However, in the case of a dog being ordered confined and such dog is found later to be running at large, such dog shall be seized immediately and either banished or euthanized.
- g. Any dog that is declared to be "vicious" by the county judge/executive and is not ordered euthanized must be marked with a readable micro chip at the cost of the owner.
- h. Financial responsibility for the owner of a "Vicious" dog is referred to under Section 10 (c)(7).

Section 12. Dogs Leashed and Under Control Notwithstanding any Law or Regulations to the contrary, any owner of a dog, or dogs regardless of the number, shall keep them under control at all times while on property owned, rented, or leased by the dog;

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owner. When a dog, or dogs are engaged in daytime exercise or other lawful activity on property not owned, rented, or leased by the dog owner, each dog shall be restrained in a suitable dog/animal carrier or on a leash from which it cannot escape; any leash utilized pursuant hereto shall be no longer than six (6) feet in length; this provision shall not apply to a dog or dogs which are freed temporarily for the purpose of legitimate training, hunting, controlled breeding, trial, show or herding. Any dog not restrained hereunder and not coming within an exception as provided for hereunder shall be considered as unlicensed.

Section 13. Kennel Owner Record Keeping Owners of ten (10) or more dogs over the age of six (6) months shall maintain a record of all such dogs. The record shall consist of at least the following detail: number of the dogs tagged (licensed), name if any, approximate date of birth, approximate weight, physical description through use of colors and markings, where, when, and from whom the animal was obtained, proof of neutering or spaying (if adopted from an Animal Shelter), recent photograph of animal, immunization record, and when and to whom the animal was released if the same is no longer in the possession of said owner; said record shall be maintained for at least one (1) year after the animal is no longer in the possession of said person.

Section 14. Inspection of Kennels and Records by Animal Control Officer The Animal Control Officer shall have the right to inspect the records stipulated and described in Section 13 and the kennel as described in Section 1 as relates to any person owning, harboring, or believed to own or harbor ten (10) or more dogs over six (6) months of age; any such person or persons shall have the duty to provide the information or permit the inspection anticipated by this Section upon reasonable notice and in any event within twenty-four hours of such notice delivered or attempted to be delivered upon said person or persons.

Section 15. Requirements for Female Dogs It is unlawful to allow a female dog to be exposed during estrus (in season, in heat) so as to attract male dogs. Every female that is in season (in heat, estrus) shall be confined in a building or secure enclosure in such a manner that such female dog cannot come in contact with a male dog except for planned breeding.

Section 16. Fighting of Any Type of Dogs It shall be unlawful for any person to stage, cause, instigate, permit, observe or attend any dog-fight or combat between humans and dogs.

Section 17. Interfering with Duties of the Animal Control It shall be unlawful for any person to interfere or attempt to interfere, directly or indirectly through the encouragement of another person or an animal with the duties of the Animal Control Officer or with the efforts of the Animal Control Officer or a peace officer to enforce or comply with the provisions of this ordinance.

Section 18. Harboring of Wild or Exotic Animals

- a. It shall be unlawful to sell, own, harbor, or keep as a pet, as that term is used to

distinguish such intention and purpose from those intentions and purposes that may be licensed by state or federal agencies, a wild or exotic animal.

- b. This Section 18 shall only apply to such wild or exotic animals as are not within the county as of the first reading of this ordinance.
- c. Any such wild or exotic animal may be ordered by the County Judge/Executive to be euthanized, confined, or banished, at the discretion of the Judge/Executive, subject to appeal in the same manner as provided in Section 15 of this Ordinance.

Section 19. Dealing with Animals as a Public Nuisance Any and all owners shall keep their dog, wild, or exotic animal from becoming a public nuisance, in this context a "public nuisance" being an animal which:

- a. Molests passers-by or passing vehicles.
- b. Attacks people or other animals, with the concept of "attack" being given its ordinary meaning and shall be without regard to whether an attack was or might have been successful;
- c. Damages public or private property;
- d. Makes noise in an excessive, continuous, or untimely manner;
- e. Creates unsanitary conditions; or,
- f. Disturbs the peace, comfort, or health of any person or persons in any manner.
- g. Pursues or wounds livestock, including: chickens, ducks, turkeys, other domesticated fowl; raptors; and/or cervine, bovine, porcine, caprine, or equine animals that are privately owned by another person and raised in a confined area for breeding stock, food, fiber, or other products, or for pleasure of man;

Only one such prescribed occurrence shall be necessary to constitute a public nuisance.

Section 20. Animal Control Duties as Described in KRS Nothing in this ordinance shall be deemed to negate, obviate, or reduce any duties or liability prescribed by KRS Chapter 258; this ordinance shall only be deemed to supplement the provisions and to increase the duties of owners of dogs, wild, or exotic animals.

Section 21. The Provisions of this Ordinance are Severable. Any sentence, clause or section or part of this ordinance or the application thereof to any particular case is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or repeal any of the remaining provisions, sentences, clauses or sections or part of this ordinance, it being the legislative intent of this body to ordain and enact such provision, section, paragraph, sentence, and part hereof separately and independently of such other provision.

Section 22. Fines for Violation of this Ordinance Other Than Section 19 Any person who violates any part of this Ordinance except for Section 19 shall be fined not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, or be sentenced to no more than Ninety (90) days in jail, or both fines and incarceration; each separate violation or each day that a violation exists shall be a separate offense.

Section 23. Fines for Violation of Section 19 of this Ordinance Any person who violates Section 19 of this Ordinance shall be fined not less than Fifty (\$50.00) Dollars nor more than One Hundred (\$100.00) Dollars; each separate violation or each day that a violation exists shall be a separate offense.

Section 24. Fines Issued Under Local Citations The Animal Control Officer may, at his discretion, issue local citations in lieu of uniform citations for the following, but not limited to: dogs running at large; dog having no licenses or rabies tag or not having such license or tag affixed; etc. Local citations shall be set at fifty dollars (\$50.00) for the first offense and seventy-five dollars (\$75.00) for the second offense.

Section 24. Repeal of All Previous Animal Control Ordinances All previous ordinances pertaining to animal control and parts of ordinances in conflict herewith and all amendments thereto are hereby repealed.

Section 25. Effective Date of this Ordinance This ordinance shall take effect upon its passage and publication according to law.

Section 26. Notice and Publication Notice and Publication of this ordinance shall be by summary.

841.0 Enacted this _____ day of _____, 2008

ATTEST:

Henry W. Bertram
Pendleton County Judge/Executive

Rita Spencer
County Clerk

In Re: Approve Sheriff's Tax Settlement Subject to Audit

Judge Bertram presented the Fiscal Court with a copy of the 2007 County Tax Settlement from Sheriff Peoples. Squire Whaley made a motion to accept the settlement as presented subject to any all audits, seconded by Squire Fogle, motion carried. Information recorded as follows:



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PENDLETON COUNTY SHERIFF'S
DEPARTMENT

202 CHAPEL STREET • FALMOUTH, KENTUCKY 41040
Office (859) 654-4511 Fax (859) 654-5974
Dispatch Center (859) 654-3500



Charles Wm. "Craig" Peoples, Sheriff Paul Vater, Chief Deputy

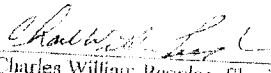
County Tax Settlement for 2007

Pendleton County Sheriff's Office

Pendleton County Fiscal Court
Henry Bertram, Judge/Executive

Comes Charles William Peoples, Sheriff of Pendleton County this 15 day of May
2008 to present to the Pendleton County Fiscal Court his 2007 Tax Settlement.

Herein, is shown, his audit report shows that the County owes \$ 124.72 to the Sheriff,
subject to any and all audits.


Charles William Peoples, Sheriff
Pendleton County Sheriff's Office

Henry Bertram, Judge/Executive
Pendleton Co. Fiscal Court

Entered in the Fiscal Court book on page _____ book _____ on this the
_____ day of _____, 2007.

Rita Spencer, County Clerk
Pendleton Co. Clerk's Office

By _____ DIT

[illegible]

June 2007 through April 2008

Add

107.437.79

66,806.23

DUE SHERIFF
SUBJECT TO AUDIT

Judge Bertram presented and read the Budget Account Transfers. Whereupon a motion was made by Squire Wells, seconded by Squire Whaley, carried that the following budget account transfers be accepted as presented.

Transfers recorded as follows.

PENDLETON COUNTY FISCAL COURT
TUESDAY MAY 27, 2008
7:00 PM

COURT ORDER TRANSFERS

BUDGET ACCOUNT TRANSFERS:

General Fund

Transfer from (01-9200-999) Reserve for Transfers to the following accounts:

| | | |
|-------------|-----------------------------------|-------------|
| 01-5001-101 | Co. Judge/Exec Salary | \$ 570.00 |
| 01-5001-105 | Administrative Assistant | \$ 275.00 |
| 01-5005-101 | County Attorney Salary | \$ 76.00 |
| 01-5020-101 | Co. Coroner Salary | \$ 22.00 |
| 01-5020-103 | Deputy Coroner Salary | \$ 21.00 |
| 01-5025-101 | Magistrate Salary | \$ 229.00 |
| 01-5025-569 | Registrations/Conferences | \$ 1,335.00 |
| 01-5030-573 | FVA Telephone | \$ 35.00 |
| 01-5040-102 | Co. Treasurer Salary | \$ 1,020.00 |
| 01-5047-142 | Co. Occupational Tax Admin. | \$ 972.00 |
| 01-5070-399 | Planning - Comprehensive | \$ 5,400.00 |
| 01-5086-578 | Utilities Annex Bldg. | \$ 225.00 |
| 01-5205-102 | Animal Control Officers-Salary | \$ 743.00 |
| 01-5205-578 | Dog Kennel Utilities | \$ 200.00 |
| 01-5210-107 | Solid Waste Coordinator | \$ 733.00 |
| 01-5210-573 | Solid Waste Coordinator Phone | \$ 30.00 |
| 01-5405-578 | Recreation Program Utilities | \$ 150.00 |
| 01-5425-507 | Celebrations, Festivals, Programs | \$ 265.00 |
| 01-9400-202 | Retirement Co. Match | \$13,000.00 |

Road Fund

Transfer from (02-6105-447) Road Materials to the following accounts:

| | | |
|-------------|------------------------|-------------|
| 02-6103-102 | Road Supervisor Salary | \$ 4,284.00 |
| 02-6105-578 | Utilities | \$ 500.00 |

Jail Fund

Transfer from (03-9200-999) Reserve for Transfers to the following accounts:

| | | |
|-------------|----------------|-------------|
| 03-5101-101 | Jailers Salary | \$ 1,114.00 |
| 03-5101-179 | Part Time Help | \$ 1,000.00 |

| | | |
|-------------|------------------|-----------|
| 03-5101-145 | Office Supplies | \$ 220.00 |
| 03-9400-202 | Retirement Match | \$ 50.00 |

LGEA Fund

Transfer from (04-9200-999) Reserve for Transfers to the following accounts:

| | | |
|-------------|------------------------------------|-----------|
| 04-5135-592 | Emergency Management Vehicle/Maint | \$ 290.00 |
| 04-7700-606 | Interest on Lease | \$ 111.00 |
| 04-9400-201 | Social Security, County Share | \$ 50.00 |

Ambulance Fund

Transfer from (09-9200-999) Reserve for Transfers to the following accounts:

| | | |
|-------------|--------------------|-------------|
| 09-5140-330 | Laundry Service | \$ 100.00 |
| 09-5140-556 | Medical Supplies | \$ 1,300.00 |
| 09-5140-571 | Renewals & Repairs | \$ 700.00 |
| 09-5140-578 | Utilities | \$ 350.00 |

911 Fund

Transfer from (75-9200-999) Reserve for Transfers to the following accounts:

| | | |
|-------------|-----------------------|-----------|
| 75-5145-445 | 911 Office Supplies | \$ 100.00 |
| 75-5145-573 | 911 Telephone | \$ 115.00 |
| 75-9400-201 | Social Security Match | \$ 25.00 |

Henry W. Bertram
County Judge/Executive

Date: _____

Vicky J. King
Fiscal Court Clerk

Date: _____

In Re: Payment of Claims

Judge Bertram presented and reviewed the Payment of Claims. Whereupon a motion was made by Squire Whaley, seconded by Squire Fogle, carried, that the following claims be allowed and ordered paid out of the following funds.

Pendleton County Fiscal Court
Voucher Claims Register

General Fund

From: 05/27/2008 To: 05/27/2008

| Batch | Account No. | Account Name | Invoice | P.O. No. | Claim Description | Voucher Date | Amount |
|------------------------------|-------------|-----------------------------------|--------------|--|---|--------------|-----------|
| Voucher No. | 11-5194 | Vendor | PEOPLES TR | PEOPLES TROPHIES & AWARDS | | | |
| 11-0127 | 01-5025-567 | CELEBRATIONS, FESTIVALS, PROGRAMS | 890 | 01009 | BANNER FOR RETURNING SOLDIERS FROM IRAQ | 05/27/2008 | 300.00 |
| Voucher No. | 11-5195 | Vendor | COUNTY OF MI | COUNTY OFFICIALS LEADERSHIP INSTITUTE | | | |
| 11-0127 | 01-5025-568 | REGISTRATION CONFERENCES | 276-70 | 018102 | TOURISM, ARTS, HERITAGE TRAINING MAY 2008 | 05/27/2008 | 300.00 |
| Voucher No. | 11-5199 | Vendor | KCJPA | KCJPA/KMCA | | | |
| 11-0127 | 01-5025-569 | REGISTRATION CONFERENCES | 203232065 | 017983 | KCJPA/KMCA SUMMER CONVENTION JUDGE & MAGISTRATE | 05/27/2008 | 85.00 |
| Voucher No. | 11-5197 | Vendor | MOORE'S | MOORE'S GLASS & METAL FABRICATING INC. | | | |
| 11-0127 | 01-5065-693 | VOTING MACHINE MAINTENANCE | 374455 | 018591 | 2008 MAY PRIMARY VOTING MACHINE SETUP & MAINTENANCE | 05/27/2008 | 1,500.00 |
| Voucher No. | 11-5198 | Vendor | STRAUSS | STRAUSS & TROY | | | |
| 11-0127 | 01-5070-389 | PLANNING CONFERENCES | 8888328 | 018013 | PROFESSIONAL SERVICES FOR ZONING | 05/27/2008 | 1,075.00 |
| Voucher No. | 11-5199 | Vendor | FT WRIGHT | FT WRIGHT PET CARE | | | |
| 11-0127 | 01-5205-365 | VETERINARY SERVICE | 255288 | 018099 | RABIES VACCINATION VOUCHER | 05/27/2008 | 1,575.00 |
| Voucher No. | 11-5200 | Vendor | FLORENCE A | FLORENCE ANIMAL CLINIC | | | |
| 11-0127 | 01-5205-365 | VETERINARY SERVICE | | 018015 | KYLAZINE FOR DAIRY COW | 05/27/2008 | 11.00 |
| Voucher No. | 11-5201 | Vendor | MAXWELL | GARY MAXWELL | | | |
| 11-0127 | 01-5205-473 | ANIMAL SHELTER EXPENSE | 848672 | 018003 | REIMBURSEMENT FOR PHONE CHARGES | 05/27/2008 | 20.00 |
| Voucher No. | 11-5202 | Vendor | PCIS ROTC | PCIS ROTC | | | |
| 11-0127 | 01-5205-434 | CEMETERY MAINTENANCE | | 018099 | CEMETERY CLEANUP | 05/27/2008 | 48.00 |
| Voucher No. | 11-5203 | Vendor | GENIE KEARNS | GENIE KEARNS | | | |
| 11-0127 | 01-5420-497 | TOURISM CONTRIBUTIONS | | 018011 | TOURISM TRIP TO LOUISVILLE 230 MILES @ 40 | 05/27/2008 | 200.00 |
| Voucher No. | 11-5201 | Vendor | FALMOUTH CO | THE FALMOUTH OUTLOOK | | | |
| 11-0127 | 01-5100-619 | LEGAL NOTICES | 803 | 018081 | SHERIFF'S LEGAL NOTICE - DELINQUENT TAXES | 05/27/2008 | 99.00 |
| 11 Vouchers Printed Totaling | | | | | | | 14,710.01 |

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Pendleton County Fiscal Court
Voucher Claims Register

Road Fund

From: 05/27/2008 To: 06/27/2008

| Batch | Account No. | Account Name | Invoice | P.O. No. | Claim Description | Voucher Date | Amount |
|------------------------------|-------------|------------------------|---------------|-------------------------------------|---|--------------|----------|
| Voucher No. | 11-5206 | Vendor | HILLTOP | HILLTOP STONE LLC | | | |
| 11-0227 | 02-6105-400 | CRUSHED STONE & GRAVEL | 848672 | 023106 | CRUSHED STONE & GRAVEL 05-09 00 THRU | 05/27/2008 | 378.10 |
| Voucher No. | 11-5206 | Vendor | CARMEUSE | CARMEUSE LIME & STONE, INC. | | | |
| 11-0227 | 02-6105-409 | CRUSHED STONE & GRAVEL | | 023117 | CRUSHED STONE & GRAVEL | 05/27/2008 | 378.10 |
| Voucher No. | 11-5207 | Vendor | CREATIVE | MICHELE HAMILTON-CREATIVE COMPUTER | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | 859 | 023132 | DOCUMENT BROWSER, DATA ENTRY & IT CHARGES | 05/27/2008 | 1,080.62 |
| Voucher No. | 11-5208 | Vendor | GEM CITY | GEM CITY TIRE | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | 87181 | 023102 | TIRES FOR TRUCK #9 | 05/27/2008 | 316.00 |
| Voucher No. | 11-5209 | Vendor | COCLEK | PENDLETON COUNTY CLERK | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | | 023124 | REGISTRATION OF EMERGENCY TRAILER | 05/27/2008 | 1,012.00 |
| Voucher No. | 11-5210 | Vendor | LOGAN | LOGAN LUMBER COMPANY | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | 5841 | 023115 | MAY ROAD MATERIALS | 05/27/2008 | 15.00 |
| Voucher No. | 11-5211 | Vendor | MOBIL COM | MOBIL COMM INC | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | 702935 | 023126 | NEW RADIO FOR TRUCK | 05/27/2008 | 8.10 |
| Voucher No. | 11-5212 | Vendor | J&N ELECT | J & N ELECTRONICS | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | | 023085 | ROAD MATERIALS | 05/27/2008 | 772.62 |
| Voucher No. | 11-5213 | Vendor | HD WATERWORKS | HD SUPPLY WATERWORKS | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | 716769 | 023122 | 30-18 GASLOTTED CMP PIPE, 1 BAND & 1 THRU | 05/27/2008 | 677.64 |
| Voucher No. | 11-5214 | Vendor | SCOTT-GRO | SCOTT-GROSS COMPANY, INC. | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | 1017570 | 023128 | APRIL RENTAL SMALL ACETYLENE CYLINDERS | 05/27/2008 | 2,059.73 |
| Voucher No. | 11-5215 | Vendor | DAVIS DIST | DAVIS DISTRIBUTING | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | 66428 | 023123 | ROAD MATERIALS | 05/27/2008 | 25.10 |
| Voucher No. | 11-5216 | Vendor | HERNANDEZ | HERNANDEZ PEOPLES SUPPLIES IN SUCHI | | | |
| 11-0227 | 02-6105-447 | ROAD MATERIALS | 233482323 | 023121 | ROAD MATERIALS | 05/27/2008 | 1,418.00 |
| 11 Vouchers Printed Totaling | | | | | | | 7,055.50 |

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Pendleton County Fiscal Court
Voucher Claims Register

Road Fund

From: 05/27/2008 To: 05/27/2008

| Batch | Account No. | Account Name | Invoice | P.O. No. | Claim Description | Amount |
|----------------------|-------------------|--------------|---------|----------------|-------------------------------|----------|
| Voucher No. 11-5217 | Vendor: HELLBROCK | HOWARD PYLES | | | | |
| 11-0327 03-5105-447- | ROAD MATERIALS | | 025131 | ROAD MATERIALS | Voucher Date: 05/27/2008 | 27.00 |
| | | | | | Voucher Totals | 27.00 |
| | | | | | 13 Vouchers Printed Totalling | 8,016.71 |

Pendleton County Fiscal Court
Voucher Claims Register

Jail Fund

From: 05/27/2008 To: 05/27/2008

| Batch | Account No. | Account Name | Invoice | P.O. No. | Claim Description | Amount |
|----------------------|------------------------------------|-------------------------|---------------|--|------------------------------|--------|
| Voucher No. 11-5218 | Vendor: REGINA GEN | REGINA GENERTY | | | | |
| 11-0327 03-5101-396- | MISCELLANEOUS CONTRACTUAL SERVICES | | 031430 | TRANSPORT 4 HOURS @ \$10 PER HOUR | Voucher Date: 05/27/2008 | 40.00 |
| Voucher No. 11-5219 | Vendor: OFFICEDEPO | OFFICE DEPOT | | | | |
| 11-0327 03-5101-345- | OFFICE SUPPLIES | | 429523186-001 | 031425 OFFICE SUPPLIES | Voucher Date: 05/27/2008 | 269.90 |
| Voucher No. 11-5220 | Vendor: EMERGENCYC | EMERGENCY CARE PHY N.Y. | | | | |
| 11-0327 03-5101-546- | ROUTINE MEDICAL | | 01441491ECP | 031426 MEDICAL BILL FOR INMATE A HOUSE | Voucher Date: 05/27/2008 | 496.00 |
| | | | | | Voucher Totals | 805.90 |
| | | | | | 3 Vouchers Printed Totalling | 805.90 |

Pendleton County Fiscal Court
Voucher Claims Register

L.G.E.A. Fund
From: 05/27/2008 To: 05/27/2008

| Batch | Account No. | Account Name | Invoice | P.O. No. | Claim Description | Amount |
|------------------------------|--------------|--|------------|---------------------------------|------------------------------------|--------------------------|
| Voucher No. | 11-5221 | Vendor | MILES | RODNEY MILES - BODY SHOP | | |
| 11-0427 | 04-5135-692- | EMERGENCY MANAGEMENT VEHICLE MAINTENANCE | 0806 | 041804 | FRONT BRAKE PADS & ROTORS | Voucher Date: 05/27/2008 |
| Voucher No. | 11-5222 | Vendor | RECREATION | COMMUNITY RECREATION COMMISSION | | |
| 11-0427 | 04-5405-107- | RECREATION SUPERINTENDENT | | 041813 | 1/2 MAY SALARY RECREATION DIRECTOR | Voucher Date: 05/27/2008 |
| Voucher No. | 11-5223 | Vendor | WATERLINE | THE FIFTH THIRD BANK | | |
| 11-0427 | 04-7700-602- | PRINCIPAL ON LEASE (WATERLINE) | 0810340535 | 041816 | PRINCIPAL ON WATERLINE LEASE | Voucher Date: 05/27/2008 |
| 11-0427 | 04-7700-606- | INTEREST ON LEASE | | 041816 | INTEREST ON WATERLINE LEASE | Voucher Date: 05/27/2008 |
| 3 Vouchers Printed Totalling | | | | | | 82,715.25 |

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Pendleton County Fiscal Court
Voucher Claims Register

Ambulance Fund
From: 05/27/2008 To: 05/27/2008

| Batch | Account No. | Account Name | Invoice | P.O. No. | Claim Description | Amount |
|------------------------------|--------------|-----------------------|------------------|--------------------------------------|--|--------------------------|
| Voucher No. | 11-5224 | Vendor | EMERGENCY | PENDLETON COUNTY EMS, INC. | | |
| 11-0927 | 09-5140-303- | AMBULANCE SERVICE | | 092248 | JUNE AMBULANCE SERVICE PER CONTRACT | Voucher Date: 05/27/2008 |
| Voucher No. | 11-5225 | Vendor | LAUNDRY | MIDWEST LAUNDRY INC. | | |
| 11-0927 | 09-5140-339- | LAUNDRY SERVICE | 17875 | 092240 | APRIL LAUNDRY | Voucher Date: 05/27/2008 |
| Voucher No. | 11-5226 | Vendor | MOBILECOM | MOBILECOM INC | | |
| 11-0927 | 09-5140-411- | MACHINERY & EQUIPMENT | 701815 | 092239 | MAY MAINTENANCE CONTRACT AMBULANCE ORTIS | Voucher Date: 05/27/2008 |
| 11-0927 | 09-5140-571- | RENEWALS & REPAIRS | 703059 | 092239 | REPAIRS TO HANDHELD | Voucher Date: 05/27/2008 |
| Voucher No. | 11-5227 | Vendor | MOORE | MOORE MEDICAL CORP. | | |
| 11-0927 | 09-5140-550- | MEDICAL SUPPLIES | 95211222 RI | 092243 | MEDICAL SUPPLIES | Voucher Date: 05/27/2008 |
| Voucher No. | 11-5228 | Vendor | SCOTT-GEO | SCOTT-GROSS COMPANY, INC. | | |
| 11-0927 | 09-5140-550- | MEDICAL SUPPLIES | 1017571 & 558095 | 092237 | MEDICAL OXYGEN & CYLINDERS | Voucher Date: 05/27/2008 |
| Voucher No. | 11-5229 | Vendor | GALLS INC | GALLS INCORPORATED | | |
| 11-0927 | 09-5140-571- | RENEWALS & REPAIRS | 5040298200017 | 092244 | MAG CHARGER | Voucher Date: 05/27/2008 |
| Voucher No. | 11-5230 | Vendor | OVERHEAD | OVERHEAD DOOR COMPANY COVINGTON I.C. | | |
| 11-0927 | 09-5140-571- | RENEWALS & REPAIRS | | 092239 | REPAIRS & MAINTENANCE | Voucher Date: 05/27/2008 |
| 7 Vouchers Printed Totalling | | | | | | 26,903.03 |

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Pendleton County Fiscal Court
Voucher Claims Register

911 Fund Fund
From: 05/27/2008 To: 05/27/2008

| Batch | Account No. | Account Name | Invoice | P.O. No. | Claim Description | Amount |
|------------------------------|-------------|---------------------|----------------------------|--------------------------------------|-------------------------------------|-------------------------|
| Voucher No. 11-5231 | | | | | | |
| 11-7627 | 75-5145-362 | DRUG TESTING | ST. ELIZABETH | ST. ELIZABETH BUSINESS HEALTH CENTER | | |
| | | | 223684 | 751052 | PRE EMPLOYMENT DRUG SCREEN J. JONES | Voucher Date 05/27/2008 |
| | | | | | | 39.00 |
| Voucher Totals | | | | | | 39.00 |
| Voucher No. 11-5232 | | | | | | |
| 11-7527 | 75-5145-415 | 911 OFFICE SUPPLIER | MODERN OFFICE METHODS INC. | | | |
| | | | 36645958 | 751060 | STAPLES FOR COPIER | Voucher Date 05/27/2008 |
| | | | | | | 102.19 |
| Voucher Totals | | | | | | 102.19 |
| 2 Vouchers Printed Totalling | | | | | | 141.19 |

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Pendleton County Fiscal Court
Voucher Claims Register

MH&MR Fund Fund
From: 05/27/2008 To: 05/27/2008

| Batch | Account No. | Account Name | Invoice | P.O. No. | Claim Description | Amount |
|------------------------------|-------------|---------------------|-------------|----------------------------------|--|-------------------------|
| Voucher No. 11-5233 | | | | | | |
| 11-9527 | 80-5233-343 | GENERAL HEALTH CARE | LICKING VAL | LICKING VALLEY COUNSELING CENTER | | |
| | | | | 880106 | APRIL 2005 COUNSELING SESSIONS PER AGREEMENT | Voucher Date 06/27/2008 |
| | | | | | | 2,343.33 |
| Voucher Totals | | | | | | 2,343.33 |
| 1 Vouchers Printed Totalling | | | | | | 2,343.33 |

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In Re: Closing Remarks

Judge Bertram stated that he, Squire Fogle and County Road Supervisor Tim Antrobus reviewed the 22 applications that were received for the position of county road employee. During this process the three of them narrowed the search down to the top 7 applicants and that interviews will now need to be held. After a brief discussion it was decided that interviews would be held on Tuesday June 3, 2008 beginning at 5:00 PM.

There was a father and son in the audience and the father explained that his son was a scout and needed to report back to his scout leader on a meeting where two different opinions were heard in order to receive a merit badge. Judge Bertram explained that most of the varying opinions are agreed upon in Caucus meetings.

Squire Veirs reported that the slip on Highway 10 should be repaired within the next two weeks. He also reported that he, Squire Whaley and Emergency Manager Mike Moore attended the meeting between Butler Fire Department and Northern Pendleton Fire District regarding annexation and/or a merger, he said that it was a well conducted meeting. No decision was made regarding a possible solution.

In Re: Adjournment

A motion was made by Squire Whaley, seconded by Squire Wells, carried that this meeting be adjourned to meet again in regular session on June 10, 2008 at 7:00 PM subject to any call meetings.

In Re: Motion to go back into open session

County Attorney Dean explained that he had researched the ability to put an ambulance tax on the ballot and would like the opportunity to present his findings to the court. Judge Bertram ask for a motion to go back into open session for discussion a motion was made by Squire Wells, seconded by Squire Fogle to return to open session, motion carried.

In Re: Presentation by County Attorney Dean

County Attorney Dean explained that there are two ways to establish an Ambulance Taxing District.

- 1) KRS 108.100 allows for the proposal to be put on the ballot. It requires 25% of the average of voters who voted in the last four (4) elections to be on a petition before it can be put on the ballot.
- 2) KRS 108.105 allows for the Fiscal Court to create the district.

Discussion was held regarding different ways to establish funding for emergency services. No action taken.

In Re: Adjournment

A motion was made by Squire Wells, seconded by SquireWhaley, Carried that this meeting be adjourned to meet again in regular session on June 10, 2008, subject to any call meetings.

PENDLETON COUNTY JUDGE EXECUTIVE

FISCAL COURT CLERK